

Bush Declaration Ex. U

TX 3466

From: Eric Schmidt.
To: [-] Schwartz Jonathan.
Cc: [-] Rubin Andy.
Bcc: [-]
Subject: update on android licensing.

Jonathan,

Nice to see you this morning ! As a followup to our conversation I asked for the details on our Android licensing terms Please review; we are happy to have our teams meet with anyone at Sun who would like more information or who has other ideas for us.

1. Our license is Apache v2. It is essentially public domain with an additional patent non-assert by google. Google is in no way forced upon anyone -- if one of our competitors wanted to remove all google functionality and insert their own, that's fine. The license doesn't require any give-backs.

2. As a result Sun will be able to take Android and "do whatever you like" to it subject to the license. This should allow you to for example add Java code or anything else on top of Android and make it available.

The Apache license is easy reading and can be found here: <http://www.apache.org/licenses/LICENSE-2.0.html>

Open Source licensing has a lot of tricky nuances. Here is a write-up by Ars Technica on all of this:

<http://arstechnica.com/news.ars/post/20071106-why-google-chose-the-apache-software-license-over-gplv2.html>

Andy Rubin is the founder and leader of Android, he is at arubin@google.com

Thanks ! Eric

Oracle America v. Google, 3:10-cv-03561-WHA GOOGLE-01-00037128

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
TRIAL EXHIBIT 3466
CASE NO. 10-03561 WHA
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